



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Norihiko FUCHIGAMI et al.

Serial No. 10/721,167

Art Unit: 2626

Filed: November 26, 2003

Examiner: Abebe, Daniel Demelash

For: AUDIO SIGNAL PROCESSING  
APPARATUS

Atty Docket: 0102/0229

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is a response to the Office Action dated September 22, 2006 in which the examiner has rejected pending claims 13-16 under a double patenting rejection (35 U.S.C. 101) for claiming the same invention as set forth in claims 1-4 (wrongly labeled 13-16) of U.S. patent 7,092,876; and rejected pending claims 13-16 under obviousness-type double patenting rejection as being unpatentable over claims 1-4 (wrongly labeled 13-16) of U.S. patent 7,103,555.

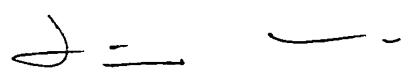
Attached to this Response are Appendixes A and B. Appendix A contains independent claims 13 and 15 of the instant application, while Appendix B contains the front page and last two pages of the '876 patent, with the last pages containing the claims thereof. Please note that the portions of independent claims 13 and 15 of the instant application that are different from the '876 patent are bolded, whereas the portions of independent claims 1 and 3 of the '876 that are different from the claims of the instant application are underlined. Now that the differences between the two sets of claims have

been clearly demonstrated, it is respectfully submitted that the claims of the instant invention do not cover the same invention set forth in the claims of the '876 patent. At best, the claims of the instant application would be obvious over the claims of the '876 patent.

To obviate the obviousness type patenting rejection of the pending claims of the instant application over the claims of U.S. patent 7,103,555, and the claims of the '876 patent, a Terminal Disclaimer which disclaims the term of a patent to issue from this application that would extend beyond the respective terms of the '755 and '876 patents is attached.

Now that no outstanding issue remains in this application, the examiner is respectfully requested to pass the same to issue at an early date.

Respectfully submitted,

  
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Date: Oct 26, 2002